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COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION

Forty-first session

PROVISIONAL SUMMARY RECORD OF THE FIRST PART (PUBLIC)*
OF THE 954th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 13 August 1992, at 10 a.m.

Chairman: MRS. SADIQ ALI

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* The summary record of the second part (closed) of the meeting appears as document CERD/C/SR.954/Add.1.

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GE.92-17135/5027H (E)

The public meeting was called to order at 10.15 a.m.

SECOND DECADE TO COMBAT RACISM AND RACIAL DISCRIMINATION (agenda item 10) (continued)

Draft model legislation (continued)

Mr. BANTON said that a draft statement on draft model national legislation against racial discrimination had been circulated to all members of the Committee. Mr. Diaconu had proposed amendments to paragraph 5 and, in particular, the insertion in that paragraph of a new section (b), which would read: "the compatibility of the provisions of the draft law with general principles of criminal law". The existing section (b) would become section (c).

Mr. de GOUTTES suggested that the words "the provisions" in the proposed new section (b) should read "certain provisions".

Mr. BANTON said that any further comments and amendments should be transmitted to the Centre for Human Rights. What was important was for the Committee to ensure that the General Assembly appreciated that, if the Committee was to carry out its work, it needed the necessary resources and that, given the time at its disposal, it had done all that could be expected.

The CHAIRMAN said that the Committee had concluded its discussion on draft model legislation.

ACTION BY THE GENERAL ASSEMBLY AT ITS FORTY-SIXTH SESSION

(b) EFFECTIVE IMPLEMENTATION OF INTERNATIONAL INSTRUMENTS ON HUMAN RIGHTS, INCLUDING REPORTING OBLIGATIONS UNDER INTERNATIONAL INSTRUMENTS ON HUMAN RIGHTS (GENERAL ASSEMBLY RESOLUTION 46/111)

(agenda item 5) (continued)

Mr. TIKHONOV (Secretary of the Committee) said it had been agreed that, subject to a formal invitation, a member of the Committee should be nominated to attend the First Special Session of the Commission on Human Rights. No such invitation had been received, but the Committee could be represented by an observer, since the session was public.

Mr. RECHETOV pointed out that the Committee had not submitted any document to the Commission containing its conclusions on the report

of Yugoslavia, which it had discussed the previous year. The Committee should have drawn the Commission's attention to the fact that the question of minorities in the former Yugoslavia had been considered.

Mr. LAMPTEY said that the Committee's comments on the report of Yugoslavia had been incorporated in its report to the General Assembly and were therefore available to all United Nations bodies. The Committee should avoid becoming involved in issues of the moment simply because they were in the public eye. He did not understand why the Committee needed an invitation from the Commission on Human Rights. It had already nominated members to liaise with other human rights bodies, and as Mr. Yutzis was responsible for liaison with the Commission at all sessions, regular or otherwise, he was the obvious candidate to attend the Special Session and report back to the Committee.

Mr. ABOUL-NASR agreed, but pointed out that Mr. Yutzis could merely attend the session and report back to the Committee; he could not take part in the session on the Committee's behalf.

Mr. van BOVEN doubted whether there were any formal arrangements under which the Committee could be represented at meetings of United Nations policy-making bodies. However, as an informal arrangement was involved and the meeting was public, a representative of the Committee could attend as an observer.

In reply to a question by Mr. ABOUL-NASR, the CHAIRMAN said that, following discussion at a previous meeting, a list had been drawn up of the members to be responsible for liaison with other human rights bodies. He invited the Secretary of the Committee to read out the list.

Mr. TIKHONOV (Secretary of the Committee) said that Mr. Wolfrum would be designated as liaison officer with the Human Rights Committee; Mr. van Boven with the Committee on Economic, Social and Cultural Rights; Mr. Banton with the Committee on the Elimination of Discrimination against Women; Mr. Diaconu with the Committee against Torture; Mr. Lechuga Hevia with the Committee on the Rights of the Child; Mrs. Sadiq Ali and Mr. Ahmadu with the Group of Three established under the International Convention on the Suppression and Punishment of the Crime of Apartheid; Mr. Yutzis with the

Commission on Human Rights; Mr. Ferrero Costa with the Sub-Commission on Prevention of Discrimination and Protection of Minorities; Mrs. Sadiq Ali with the Working Group on Indigenous Populations; Mr. Ahmadu with the Committee against Apartheid; and Mr. de Gouttes with the Council of Europe and the European Parliament.

The list, as read out, was approved.

ORGANIZATION OF WORK

Designation of country rapporteurs for the forty-second session of the Committee (1993) (continued)

The CHAIRMAN said that the proposed list of country rapporteurs for the Committee's forty-second session had been circulated and would appear as annex VI of its report. Mr. Ahmadu had since volunteered to act as country rapporteur for Sudan.

Mr. BANTON said that the Committee would need to discuss the whole question of the procedure for the appointment of country rapporteurs at some future date. The existing practice was somewhat haphazard, and might result in imbalances, but it would remain viable provided that two criteria were kept in mind, namely that no one member of the Committee should be responsible for assessing two successive reports or series of reports from a particular country, and that no member should be called upon to evaluate the report of his own country.

Mr. WOLFRUM said that he fully endorsed the two restrictions mentioned by Mr. Banton, but thought that so far the system of volunteering had proved eminently satisfactory.

Mr. RECHETOV said that the proviso "if submitted in time" in connection with reports might well apply to more countries than the three listed with an asterisk in the draft text of annex VI. He himself had volunteered to act as country rapporteur for Ukraine, but was still unsure whether that country's report would in fact be submitted in time.

Mr. AHMADU said that the interests of impartiality might best be served if Mr. Wolfrum and Mr. Rechetov were to exchange their respective responsibilities in respect of Ecuador and Ukraine.

Mr. RECHETOV said that the only reason why he had volunteered to act as country rapporteur for Ukraine was that most of the documentary material that would be submitted would be in Russian or Ukrainian, languages with which he was conversant.

The list of country rapporteurs, as supplemented, was approved.

Press conference to be given by the Committee

Mr. TIKHONOV (Secretary of the Committee) said that arrangements had been made to hold a press conference that afternoon, and that the Committee should select members to represent it.

The CHAIRMAN said that, after consultations, it had been decided that Mr. Banton and Mr. de Gouttes, and she herself in her capacity as Vice-Chairman, would represent the Committee at the press conference.

The public meeting rose at 11.35 a.m.